Previous references.

1908-09
(Courts)

File No. 207-08

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for Feb'y '09

SUBJECT.

Abolition of the Register of warrants of Imprisonment

Table of Contents

1. From the Registrar, Chief court, Mysore No 3575/190 - 9-12-08 states that the judges maintain that the register above refd to is unnecessary, & requests sanction to the issue of a Corrigendum to rule of practice No 5 9/12/6 1878 abolishing the said register.

2. To the same — No J. 2282 & 8/12-09 Approves of the draft Corrigendum as suggested above

G.R.S.11] 1908.09

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

C/o File No. 207-8

FILE HEADING.

Abolition of the Register of warrants of imprisonment.

From

The Registrar of the Chief Court of Mysore

No. 3575/190 Dated 9.12.08 Received 10/12/08

Diary No. 9/14794 Encls. one Spare Copies Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that the Judges Consider that the maintenance of the Register of warrants is for reasons stated unnecessary and requests sanction to the issue of a Corrigendum to Rule of Practice No 5 of 12.6.1878, abolishing the said Register.

NOTES AND ORDERS.

1. Subd for orders with a draft order 'approving'.

Hcz 11/12/08 DN

1st (r) 8/12/12

9119/12.12.08

2. Please note on the merits of the proposal — With there be any objection to the suggested warrant

KLG

Notes—First sheet

GPB—30,000—3-4-07.

Serial No.

Kept in the Record Office Criminal Case, & if not how may the requirements of such apply be met? Similarly as regards the entries for which Cols 6, 16, & 17, are provided in Warrant Register No VIII -

The 19 Decr

23/12/08

3. Subd for orders if approved. The Chief Court will be addressed in the matter.

Hez 4-1-1909 4. So far as my knowledge goes no office Office keeps Copies of warrants. It is not usual to retain Copies of warrants. But the information as to the date and nature of the sentence is always forthcoming from in Reg. No I. (vide Cols 15, 16 & 17).

5. As regards Col^n no 6 of the warrant Register, the information supplied therein can not be had anywhere else but I submit the entry may be regarded as of very little practical Consequence because the Court is in no way responsible for the property or belongings of the prisoner. It is Either the Police or the Lockup Office that has for to look to it. — As regards Col 16

My impression is that the Police produce them to the Court with the prisoner & the charge sheet - In any case there ought to be a clear understanding on the point as to the responsibility for the property

NOTE—Contn sheet.

GPB—50,000—13-5 06

G. R. S. 12]
General and Revenue Secretariat.

C/o File No. 209 of 1908-9.

Serial No.

of the warrant Register, it has to be remarked that the information about the amount and date of payment of fine can be had in Col^s 8 to 13 of Reg. no VII (Register of fines) and also in the Cash Book (Reg. no XIV).

6. But the information given in Col 14 of the Warrant Register seems to be quite peculiar to itself and as far as I am aware can not be had anywhere except in the "Lo" or despatch book of the office.

7. Speaking of the warrant Register as a whole, it may be said that though its utility is not great, it serves one useful purpose viz in that it affords considerable facility to check the execution of sentences by Lockup officers. This not an indispensable register in the sense that such a check could not be exercised in its absence but it saves the trouble of looking up the records of the case and the entries in more than one Register, of which we have got to scrutinise the execution of sentences. If necessary a

NOTE—Contn sheet.

G. R. S. 12]
General and Revenue Secretariat.

File No. 209 of 1908-09

Serial No.

reference will be made to the Chief Court about the points raised.

7th Jan. SHH

9349 / 7-1-09

1st Councillor).

8. I think an unofficial reference may be made for the information required.

8th Jan 09

W.O. 50-08 / 9.1.09

9. Forwarded unofficially to the Chief Court for favour of opinion.

SHiriyamaiya

9th Jan. 09. for Secretary.

4326 / 226

10. A copy of the Chief Judge's note is appended - Col. 6.

11. The entry in a register of property sent with a prisoner to the Jail cannot possibly serve any useful purpose. All such property when produced before the Magistrate should be listed on the back of the warrant. The property is checked at the Jail with this list and is then entered in the Jail admission Register.

Columns 16 and 17.

2. It is most important that every payment of fine shall be promptly ——

GPE—50 000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

File No. 209 of 1908 Cal -

Serial No.

communicated to the Jail Superintendent. If this is not done there is always the risk of a prisoner being detained in Jail beyond the date on which he is entitled to be released. But this Object is not gained by entering in a register the date on which information is sent to the Jail Superintendent because such information may miscarry. The only proper system of check is as follows. Each Court should have its own counterfoil book of intimations. This book is in triplicate form and comprises the counterfoil, the intimation coupon and the receipt coupon for the acknowledgment of the intimation. The intimation coupon and the receipt coupon are sent together to the Jail Superintendent who detaches and returns the latter which is then affixed to the corresponding counterfoil. The Magistrate is bound to examine the counterfoil book on the first open day of each week in order to satisfy himself that a receipt has been returned by the Jail authorities for any intimation that may have been issued during the preceding week. This is the only Efficient System of check.

NOTE—Contn. sheet.

GPB—50,000—13-5 08

P.T.O.

Serial No.

3. 13. If the abolition of the Register is sanctioned the above checks will be introduced - It is also recommended that a provision should be inserted in the Mysore Jail Manual which is at present under compilation to the Effect that any case in which a prisoner has been detained in Jail after the expiry of his sentence shall be at once reported to the Chief Court - A similar provision exists in most of the Provincial Jail Manuals in British India -

Registrar, Chief Ct.

22. 1. 9.

Subd for orders.

Acg GW
25/1 09.

14. There is no difficulty in regard to the question of the property of the prisoner if the C. G's proposal is adopted. Property belonging to prisoners is entered in Several jail registers and there is also a special register for it (See Registers 1, 2, 4B). ~~It is already noted above~~

It is already noted above that the information contained in Col 16

15

GPB—50,000—18-5-08

Serial No.	
	after the warrant Registers can be had otherwise.
	16. As regards cl 17 the C. J's note speaks for itself.
	17. The recommendation may be adopted. 26.1.09. (1st Councillor).
	18. Draft approved (Attorney) 29/1/09. Issue 30.1.09.
2	To the Registrar Chief Court, Rg 2282/98/2 Approving of the draft Corrigendum.

9572/26.1.1909

NOTE—Contn. sheet.

GPB—50.000—13-5-08

No 3575 Encl
199
III/4 10 11 A
dc 207-08 Sl. J 1474

Bangalore dated, 9th December 1908.

From,

V.A.Rajaratna Mudaliar Esq.,

Registrar, Chief Court of Mysore.

To,

K.S.Chandrasekhara Aiyar Esq.,

Secretary to Government,

General and Revenue Departments.

Sir,

I am directed to request the sanction of Government to the issue of the enclosed corrigendum to Rule of Practice No.5 dated 12th June 1878 (Criminal). The Judges are of opinion that the maintenance of a Register for entering particulars of warrants is not necessary as all the information required is available from the warrants when they are returned. The change proposed will also afford some relief to the clerical establishment of Criminal Courts. I am to add that no register of the kind is prescribed by any High Court in British India.

I have the honour to be,

Sir,

Your most obedient servant;

REGISTRAR.

B.V.

In the Chief Court of Mysore.
-:::: O ::::-

Criminal Side.

Corrigendum dated December 1908 to Rule of Practice No.5 dated 12th June 1878.

The Chief Court directs that Register No.VIII (Register of warrants of imprisonment) prescribed by the said Rule of Practice be abolished.

3

G.R.S. 23]

File No. 207-08

Serial No. 2

Diary No. of letter replied to 1474

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 190

Date of issue 8/1/09

Signed by Mr. Sthrinivasaraiya.

READ— Letter № 3575/190 dated the 9th December 1908 from the Registrar of the Chief Court of Mysore, stating that the Judges of the said Court are Consider that the maintenance of a

ORDER THEREON.—No.

Register for entering particulars of warrants is not necessary and requesting that, for reasons stated, Sanction may be accorded to the issue of a Corrigendum to Rule of Practice № 5

over

SUBJECT

GPB—10,000—10-4-06

4 dated the 12th June 1878
(Criminal), abolishing
the Register of Warrants
of Imprisonment.

order thereon N. J 2282/CS-207-08-2
Dt 8th Feb/09

The draft Corrigendum to
Rule of Practice N 5 dated
the 12th June 1878 received
with the Registrar's letter
read above is approved.

2. It is understood that the Chief Court will insert
~~the Book of Rules~~ issue
~~with the Rules~~ ~~Regulations~~ for purposes
being made ~~by them~~
for the purposes which
Cls 6, 16, XVII of
the Warrant Register
have hitherto served.

SK
for Secretary

To

The Registrar of the Chief
Court of Mysore

SK/14/2

29/Jan/09

Copy 30/1/09